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Attorney's Docket 021123-0282413  
Client Reference: 990079BT-DIV1

NOV 22 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:  
PETRA ZIEGLER ET AL.

Confirmation No: 2142

Application No.: 09/963,521

Group Art Unit: 1652

Filed: September 27, 2001

Examiner: D.M. Ramirez

Title: NUCLEOTIDE SEQUENCES CODING FOR THE THREE GENE AND PROCESS  
FOR THE ENZYMATIC PRODUCTION OF L- THREONINE USING CORYNEFORM  
BACTERIA

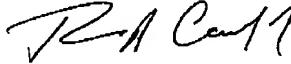
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CERTIFICATION OF FACSIMILE TRANSMISSION  
UNDER 37 C.F.R. §1.8

I hereby certify that the following papers, consisting of 20 pages  
including this cover sheet, are being facsimile transmitted to the Patent and  
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Amendment Transmittal  
Fee Transmittal  
Terminal Disclaimer  
Amendment and Response Pursuant to 37 CFR 1.1116

PILLSBURY WINTHROP LLP



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11-22-04

14:29 .. From:Pillsbury Winthrop LLP

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Reply Under 37 C.F.R. §1.116  
Expedited Procedure  
Group Art Unit 1652

Attorney Docket: 021123-0282413

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**AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. §1.116**

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is in response to an official [final] action, dated August 24, 2004, wherein the pending claims were rejected under 35 U.S.C. §112, first and second paragraphs, and the judicially created doctrine of obviousness-type double patenting. The applicants respectfully traverse in view of the following amendments and remarks.